U.S. Army Corps of Engineers, Chicago District

APPLICANT: Exceed Development PROJECT LOCATION/WATERWAY: The Vacant Properties Located On The Southeast And Southwest Corners Of IL Route 59 And Grass Lake Road Near Antioch, Lake County, Illinois (Section 19, T46N, R10E)

FILE NUMBER: 200400606 PROJECT REVIEW COMPLETED: Office Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable

FILE NUMBER: 200400606 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: ANTIOCH, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: August 17, 2004 Other information:
Rationale for Basis (applies to any boxes checked above): On the southeast corner of Grass Lake Road and IL Route 59 W-2 and W-3, as referenced in your report and located in the central and southern portion of the property, are under the jurisdiction of this office due to the hydrologic surface connection to the Fox River, a navigable waterway. W-1 is a small wetland in the northern portion of the property that has been determined to be isolated and therefore not under the jurisdiction of this office. On the southwest corner of Grass Lake Road and IL Route 59 W1, W2, and W3, as referenced in your report, are under the jurisdiction of this office due to the hydrologic surface connection to the Fox River, a navigable waterway.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):
Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary Ordinary High Water Mark indicated by: clear, natural line impressed on the bank clear, natural line impressed on the bank clear, natural line impressed on the bank shelving other
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary ☐ This office does not confirm your wetland boundary
Recommended by:
Approved by: Date:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dones, and the like are also adjacent.

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

					,				
DISTRICT OFFICE: Chicago FILE NUMBER:)								
REGULATORY PROJECT N	MANAGE	R: Pa	aul Leff	ler	Da	ate: Septembe	r 24, 2004		
PROJECT REVIEW/DETER			PLETI		n the office project sit	. ,	,		
PROJECT LOCATION INFO	DRMATI	ON:				nu	_		
State:						Illinoi Lake	S		
County: Center coordinates o	f cita hv 1	atituda &	longitu	idinal coor	dinatası		-49.4633	88 -6 -42,94	47
Approximate size of						30 acr		00 -0 -42.94	+1
Name of waterway o			ung u	piddos et ii	i del es		it Creek, Fox	River	
SITE CONDITIONS:	- //					ocquo	ic crock, I ox	111.07	
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 :	ac 25-50 ac	> 50 ac	Linear	Unknown
	V-7-0	1-2-00	3-3 40	3-20 00	1,0020	25-50 20	750 110	feet	CHAHOWH
Lake									
River									
Stream									
Dry Wash									
Mudflat	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>				│
Sandflat		<u> </u>		<u> </u>					<u> </u>
Wetlands	×	└ ┖		<u> </u>		<u> </u>			
Slough		<u> </u>				□	그모		<u> </u>
Prairie pothole		- <u> </u>		<u> </u>			$\perp \Box$		↓□
Wet meadow	14-	│	<u> </u>		14	닐	<u> </u>		<u> </u>
Playa lake	┼┼	 - 	╌	- - 			 - - - - - - - - -		1 <u> </u>
Vernal pool	ᆛ岩	 	┞╠	 		→	 - - - - - - - - -		
Natural pond	│ ;	┞╠╅	┞╞┽┈	- - -	┵┝	· · - - - - - - - - -	╼┼╞╡		│ ├┤
Other water (identify type)	-						L		
	<u> </u>		<u> </u>						
Check appropriate boxes that be jurisdictional aquatic resource are		type of iso	lated, uc	n-navigable	, intra-state	water present	and best estim	ate for size of	non-
						" • • •			
Migratory Bird Rule Factors:				If Known		If Unknown		-	
				Yes	No	Predicted	fessional Judgi Not Expected	d to Not	Able To Make
Is or would be used as habitat for	hiede prote	noted by	-			te Occur	Occur	□ De	termination
Migratory Bird Treatles?	on as proc	celed by		-		4		-	
Is or would be used as habitat by coross state lines?			×						
Is or would be used as habitat for	endangere	d species?					Ø		
Is used to irrigate crops sold in int							× ×		
*Check appropriate boxes that be non-navigable, intra-state aquatic			or appli	cability of th	e Migratory	Bird Rule to a	pply to onsite,	, non-jurisdict	tional, isolated,
non-mariganic, incra-state aquanc	I COULL CE 2	L 40.							
TYPE OF DETERMINATION	N:				Pr	eliminary 🗌	Or Appro	oved 🛛	
OPITIONAL ADDITIONAL	INFORM	ATIONS	ጠውውስ	RTING NE	D (e.g. par	agraph 1 _ ei	ite conditions	r naraarank	ns 7-3 —
rationale used to determine N									

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: George Bolos PROJECT LOCATION/WATERWAY: Northeast of the Intersection of West Pine Drive and Crete-Monee Road, Will County, Illinois FILE NUMBER: 200400725 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent? (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: STEGER. U. S. Geological Survey Hydrologic Atlas: STEGER, 209. ■ USDA Natural Resources Conservation Service Soil Survey for Will County. U. S. Geological Survey 7.5-Minute Topographic Maps: STEGER, 1990. U. S. Geological Survey 7.5-Minute Historic Quadrangles: ______ U. S. Geological Survey 15-Minute Historic Quadrangles: ____ Aerials (Name & Date): Monee, 1997 Advanced Identification Wetland Maps: Site Visit Conducted on: August 19, 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetlands A-C are hydrologically connected to Deer Creek. Deer Creek flows into the Des Plaines River, a navigable "waters of the U.S.". Wetland D is isolated and therefore not jurisdictional Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary **Basis for Declining Jurisdiction:** Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary Date: 2 9 5 - pt 0-/ Recommended by: 27 568 54 Approved by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 2004007									
REGULATORY PROJECT	MANAGER	: M	Iclyssa Cr	uz	Date:	28 Septemb	er 2004		
PROJECT REVIEW/DETER	RMINATION	COMPL	ETED: I	n the office		(Y/N)	Date:		
					oject site Y	(Y/N)	Date: Au	gust 19, 2004	
PROJECT LOCATION INFO	ORMATION	T:						-	
State:						Illinois			
County:						Will			
Center coordinates	of site by lat	itude & lo	ngitudina	d coordinate	s: 41-25	-17.2148			
	٠		•			-3.0043			
Approximate size o	of site/proper	ty (includi	ing uplan	ds & in acre	s):				
Name of waterway					-,-	Des Plai	ines		
SITE CONDITIONS:	<u> </u>	_							
Type of aquatic resource	0-1 ас	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Saudflat								-	
Wetlands		10	 		T -				
Slough									
Prairie pothole									
Wet meadow			TÖ						
Playa lake			i 🗖	1 🗖	1 🗖 🗀 🚟				
Vernal pool			10	10	1 🗇 🗆 🗆	10			
Natural pond	 		1 5	16	17	16	 	1	16

Migratory Blrd Rule Factors':	If K	nown	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treatics?							
Is or would be used as habitat by other migratory birds that cross state lines?			Ø				
Is or would be used as habitat for endangered species?			∣⊠				
Is used to irrigate crops sold in interstate commerce?			X				
¹ Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability of t	he Migrator	y Bird Rule to	apply to ousite, non-	jurisdictional, isolated,		

TYPE OF DETERMINATION:

Other water (identify type)

jurisdictional aquatic resource area.

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-

DISTRICT OFFICE: Chicago

Preliminary
Or Approved

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Ryland Homes PROJECT LOCATION/WATERWAY: Briggs and Burbulis Parcels Located North of Elgin Street and east of Galligan Road in Gilberts, Kane County, Illinois (N 1/2 of Section 24, T42N R7E) FILE NUMBER: 200401012 PROJECT REVIEW COMPLETED:

☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. ☐ There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ELGIN. U. S. Geological Survey Hydrologic Atlas: ELGIN, HA 147. ☐ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: ELGIN, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: ELGIN, 1929 Aerial Photographs (Name & Date): DigiAir Spring 2001 and Fall 2002 Advanced Identification Wetland Maps: Site Visit Conducted on: July 22, 2004 by Jaimee W. Hammit of the USACE, Chicago District Other information: The Wetland Delineation Report dated July 19, 2004, prepared by Phoenix and Associates Rationale for Basis (applies to any boxes checked above): Wetland A on the Briggs Parcel and Farmed Wetlands I and 2 on the Burbulis Parcel do not appear to have a current or historic demonstrable tributary system connection and are isolated. Therefore, these wetlands are not under the jurisdiction of the U.S. Army Corps of Engineers. However, Wetland A on the Burbulis Parcel is under the jurisdiction of the U.S. Army Corps of Engineers due to its connection to Tyler Creek, which is tributary to the Fox River. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary **Basis for Declining Jurisdiction:** Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria

Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated July 19 and August 11, 2004, prepared by Phoenix and Associates. This office does not confirm your wetland boundary. Recommended by: Approved by:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200401012				
REGULATORY PROJECT MANAGER:	Jaimee Hammit	Date:	09/27/04	
PROJECT REVIEW/DETERMINATION C		In the office the project site	(Y/N) (Y/N)	Date: 09/27/04 Date: 07/22/04
PROJECT LOCATION INFORMATION:			,	
State:			Illinois	
County:			Kane	
Center coordinates of site by latitud	de & longitudinal c	oordinates:	Lat: 42-	6-37, Lon: 88-21-58
Approximate size of site/property (including uplands	& in acres):	180 acre	es
Name of waterway or watershed:			Tyler Cr	eek/Fox River
SITE CONDITIONS:			-	

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 sc	10-25 ac	25-50 ac	> 50 ac	Linear Unknown
N. 1								feet
Lake							1 🗆	🗅
River								
Stream								
Dry Wash								
Mudflat								
Sandflat								<u> </u>
Wetlands					Ø		15	
Slough							l iii	
Prairie pothole	1	15						
Wet meadow								
Playa lake	10-							
Vernal pool	10							
Natural pend	T 🗀 📉							
Other water (identify type)	│		i fi		-		Ħ	
	_	-	"	-	—	—	_	-
	'							
¹ Check appropriate boxes that be	st describe	type of iso	lated, non-	navigable, int	ra-state wate	er present and	d best estima	te for size of non-
jurisdictional aquatic resource ar	22.	A 6 - 03 100	,			. 1	w west totillia	er to: diam of molt-

Migratory Bird Rule Factors [†] :				lessional Judgment				
	Yes	Ne	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination			
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			M					
Is ar would be used as habitat by other migratory birds that cross state lines?								
Is or would be used as habitat for endangered species?					×			
Is used to irrigate crops sold in interstate commerce?								
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.								

TYPE OF	DETERMINATION	:
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Preliminary 🔲 Or Approved 🛛

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mr. James Bender PROJECT LOCATION/WATERWAY: The 14 Acre Property Located North Of Old Mill

Road And East Of Telegraph Road In Lake Forest, Lake County, Illinois (Section 7, T43N, R12E) FILE NUMBER: 200400117 PROJECT REVIEW COMPLETED:

☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: __ □ USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: ____ U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: Spring 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetlands 1, 2, 4, 5, 6, and 7, as referenced in your delineation report, are under the jurisdiction of this office due their hydrologic, surface connection to the North Branch Chicago River, a navigable waterway. Wetland 3 was considered isolated and therefore not under the jurisdictional of this office. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other 🔲 wetland boundary **Basis for Declining Jurisdiction:** ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7). Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated June 2003, prepared by Hey & Associates, Inc. This office does not mafirm Recommended by: Approved by: Date: ¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (1.c., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400117

REGULATORY PROJECT M	Date: September 23, 2004								
PROJECT REVIEW/DETER	MINATI	ON COM	IPLETE		In the offic e project si		-		
PROJECT LOCATION INFO	RMATI	ON:							
State:						Illino	ois		
County:						Lake			
Center coordinates of	f site by l	atitude &	longitue	linal coo	rdinates:				
Approximate size of s	site/prope	erty (inch	ıding up	lands & :	in acres):	14			
Name of waterway or	r watersh	ed:				Chies	ago River		
SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 a	c 10-25	ac 25-50 a	c > 50 ac	Linear feet	Unknown
Lake									
River		1 🗖		 					
Stream	Ħ	 	16	 				-	10
Dry Wash	 	† न	† F	╅	17	1 🗂 💳		1	1
Mudflat				16		<u> </u>			15
Sandflat	╽त	1 🗖	† 	 					18
Wetlands		 		18				1	
Slough									
Prairie pothole			16						
Wet meadow									
Playa lake								<u> </u>	
Vernal pool									
Natural pond								1	
Other water (identify type)									
	_	_		_					1
Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, nor	ı-navigab	le, intra-state	water presen	t and best estim	ate for size of	f non-
Migratory Bird Rule Factors ^t :		****		If Know	n	If Unknown			•
			-	22 222011	•		ofessional Judgi	ment	
			ſ	Yes	No	Predicted	Not Expected	d to Not	Able To Make
					<u> </u>	to Occur	Осешт		termination
Is or would be used as habitat for	birds prot	ected by				∣⊠			
Migratory Bird Treaties? Is or would be used as habitat by or	ther mier	atory bird	e that		+	X	 	<u> </u>	
cross state lines?	mer migr	atory piro	SUM			Δ.	🖰	-	
Is or would be used as habitat for	endangere	d species?	i	П	<u> </u>	 			
Is used to irrigate crops sold in interstate commerce?									
¹ Check appropriate boxes that bes	t describe	potential i	or applic	ability of	the Migrator	y Bird Rale to	apply to onsite,	, non-jurisdic	tional, isolated,
non-navigable, intra-state aquatic	resource a	area.							
TYPE OF DETERMINATION	N:				P	reliminary [Or Appro	oved 🛚	

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: PAR Development PROJECT LOCATION/WATERWAY: Approx. 130-acre parcel (Reedy Parcel) located north of Elgin Street in Gilberts, Kane County, Illinois (NE 1/4 of Section 24, T42N R7E and NW 1/4 of Section 19, T42N R8E) FILE NUMBER: 200401013 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: There are isolated wetlands on the subject site. Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ELGIN. U. S. Geological Survey Hydrologic Atlas: ELGIN, HA 147. USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: ELGIN, 1992. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date):

Advanced Identification Wetland Ma Advanced Identification Wetland Maps: Site Visit Conducted on: July 22, 2004 by Jaimee W. Hammit of the USACE, Chicago District Other information: The Wetland Delineation Report dated August 11, 2004, prepared by Phoenix and Associates Rationale for Basis (applies to any boxes checked above): Wetlands A, B, C and the two farmed wetlands identified by NRCS are isolated. None of these wetlands have a surface water tributary system connection and therefore are not under the jurisdiction of the U.S. Army Corps of Engineers. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary **Basis for Declining Jurisdiction:** Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200401013				
REGULATORY PROJECT MANAGER:	Jaimee Hammit	Date:	September 1	9, 2004
PROJECT REVIEW/DETERMINATION CO		In the office t the project site	(Y/N) (Y/N)	Date: September 17, 2004 Date: July 22, 2004
PROJECT LOCATION INFORMATION:			(/	
State:			Illinois	
County:			Kane	
Center coordinates of site by latitude	& longitudinal	coordinates:	Lat: 42-	6-31, Lon: 88-21-25
Approximate size of site/property (in	icluding uplands	& in acres):	130 acre	s
Name of waterway or watershed:			Fox Rive	er
SITE CONDITIONS:				

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 se	25-50 ac	> 50 ac	Linear feet	Vaknowa
I.ake					П			POEL	<u> </u>
Kiver									ī
Stream					18				<u> </u>
Dry Wash						! =	Ħ		
Mudflat					15				
Sandflat	-	16	ī	<u> </u>	✝┌	<u> </u>			Ħ
Wetlands					8				Ħ
Slough	П	18	Ħ	Ħ					r i
Prairie pothole	ī	<u> </u>				 			Ħ
Wet meadow	T	18	 	17	Ħ	Ħ	<u> </u>		Ħ
Playa lake	ī	1百	┪	 	l Fi	 			Ħ
Vernal pool	ī		\Box	<u> </u>			Ħ		
Natural pond	ī	 		ì 	H		 		
Other water (identify type)				🗖					
¹ Check appropriate boxes that bes jurisdictional aquatic resource are	t describ	e type of isol	ated, non-	navigable, in	tra-state wate	er present and	d best estimat	e for size of n	on-

Migratory Bird Rule Factors :	If Know	lf Known If Unknown Use Best Professional Judgment					
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			×				
Is or would be used as habitat by other migratory birds that cross state lines?			Ø				
Is or would be used as habitat for endangered species?							
Is used to irrigate crops sold in interstate commerce?					l 🗵		
¹ Check appropriate boxes that best describe potential for applinon-navigable, intra-state aquatic resource area.	cability of	the Migratory	Bird Rule to	apply to onsite, non	-jurisdictional, isolated,		

Preliminary ☐ Or Approved ⊠

TYPE OF DETERMINATION:

U.S. Army Corps of Engineers, Chicago District

APPLICANT: DuPage County Department of Engineering PROJECT LOCATION/WATERWAY: Route 59 between LaSalle and Brookdale, Village of Naperville, DuPage County, Illinois PROJECT REVIEW COMPLETED: ☑ Office ☑ Field **FILE NUMBER: 200401073** Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. ☐ There are both waters of the United States and non-jurisdictional waters on the project site. **Basis of Jurisdictional Determination:** There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: NAPERVILLE. U. S. Geological Survey Hydrologic Atlas: NAPERVILLE, HA 154. ☐ USDA Natural Resources Conservation Service Soil Survey for DuPage County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: NAPERVILLE, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles:
U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): ☐ Advanced Identification Wetland Maps: Site Visit Conducted on: September 7, 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetlands #1-3 do not have a surface water connection to a navigable waterway therefore they are non-jurisdictional. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil □ other wetland boundary **Basis for Declining Jurisdiction:** Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Date: 9-20-04 Recommended by: Approved by: Date:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200401073 REGULATORY PROJECT MANAGER: Diedra Willis Date: September 7, 2004 PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: September 2, 2004 At the project site (Y/N) Date: September 7, 2004 PROJECT LOCATION INFORMATION: State: Illinois DuPage County: 41-47-34.3246 & 88-12-19.2648 Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: Ferry Creek Tributary

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac		5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake		П			† <u> </u>	<u> </u>	П		
River		ऻऻ			15	lī	i fi		
Stream					T 🛅		i iii		1 🗂
Dry Wash				Ħ	 	Ħ			↑Ħ
Mudflat					<u> </u>				
Sandflat					 	<u> </u>	竹		Ī
Wetlands	<u> </u>						l 🗂		f i
Slough	╗				1 🗂				T 📅 💮
Prairie pothole			n	ī			 		
Wet meadow				<u> </u>			1 🗖		17
Playa lake					† 		;		l Ti
Vernal pool		1 🗖 📑	ī		<u> </u>	Ħ	i Fi		t 🗂
Natural pond				Ħ	i Fi		T T		
Other water (identify type)								· · · · · ·	1 5
	_								
¹ Check appropriate boxes that b jurisdictional aquatic resource a	est describe	lype of isol	ated, non-	l navigable, in	tra-state wate	er present an	d best estimat	l te for size of	non-

Migratory Bird Rule Factors':	If Koo	Va		ofessional Ju	Control of the contro	 8.%
	Yes	No	Predicted to Occur	Not Expe Occi	10000 C 000 C 10 C 00 C 10 C 10 C 10 C	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					Ø	
Is or would be used as habitat by other migratory birds that cross state lines?					Ø	
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?						
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability o	f the Migrato	ory Bird Rule to	apply to ons	ite, non-jurisdictional, isola	ited,

TYPE OF DETERMINATION:		Preliminary 🗀	Or Approved 🖂
· .			

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Centex Homes PROJECT LOCATION/WATERWAY: West of the Intersection of West Brown Road and South Rowell Road in Elwood, Will County, Illinois FILE NUMBER: 200400600 PROJECT REVIEW COMPLETED: Soffice Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: ELWOOD. ☑ U. S. Geological Survey Hydrologic Atlas: ELWOOD, 254. ☑ USDA Natural Resources Conservation Service Soil Survey for Will County. ☑ U. S. Geological Survey 7.5-Minute Topographic Maps: ELWOOD, 1993. ☑ U. S. Geological Survey 7.5-Minute Historic Quadrangles:
Rationale for Basis (applies to any boxes checked above): Area 1 is hydrologically connected to a tributary that drains to Jackson Creek. Jackson Creek flows into the Des Plaines River, a "navigable waters of the U.S.". Area 2 is isolated and therefore not jurisidictional.
Lateral Extent of Jurisdiction (33 CFR 328 and 329):
Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary
Basis for Declining Jurisdiction:
 ✓ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ✓ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ✓ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary This office does not confirm your wetland boundary
Recommended by: Date: Date: 6 Sept 04
Approved by: ORIGINAL SIGNED Date: 17580 64
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dones, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 20040060	0								
REGULATORY PROJECT	MANAGE	ER: N	lelyssa Cr	uz.	Date:	16 Septemb	er 2004		
PROJECT REVIEW/DETE			IPLETEI		the office roject site Y	(Y/N) (Y/N)	Date: Date: 24 l	June 2004	
PROJECT LOCATION INF State:	OKMATI	UN:				Illinois			
County: Center coordinates	of site by I	atitude &	: longitud	linal coordi	nates:	Wilt 41.24.43	3.53		
	_		_			88.04.39	9. 79 .		
Approximate size o Name of waterway SITE CONDITIONS:			oding upl	ands & in a	acres):	Des Plai	ines		
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash	<u> </u>								
Mudflat	<u> </u>			<u> </u>	<u> </u>				
Sandflat	<u> </u>	↓ □		<u> </u>					
Wetlands			<u> </u>		<u> </u>		<u> </u>		
Slough	<u> </u>	<u> </u>	↓ <u>□</u>	<u> </u>	<u> </u>	<u> </u>			
Prairie pothole	<u> </u>	↓ <u>□</u>	 		⊥ □				↓ □
Wet meadow		↓.닏	<u> </u>	<u> <u> </u></u>	1 🖳				<u> </u>
Playa lake	<u> </u>	<u> </u>		<u> </u>	↓				10
Vernal pool	→ 🖳	<u> </u>		<u> </u>					<u> </u>
Natural pond	! []	\Box		ļΠ	$+\Box$				П

Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors':	If K	nown	If Unknown Use Best Professional Judgment				
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			Ø				
Is or would be used as habitat by other migratory birds that cross state lines?			⊠				
Is or would be used as habitat for endangered species?			Ø				
Is used to irrigate crops sold in interstate commerce?			×				
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of t	he Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated,		

TYPE OF DETERMINATION:

Other water (identify type)

DISTRICT OFFICE: Chicago

Preliminary 🗌 Or Approved 🛛

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Mike Steinbis PROJECT LOCATION/WATERWAY: Property located south of Route 38 and east of Harley

Road in Campton Township, Kane County, Illinois (E 1/2 of Section 34, T40N R7E) FILE NUMBER: 200400977 PROJECT REVIEW COMPLETED:

☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. ☐ There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: ELBURN. U. S. Geological Survey Hydrologic Atlas: ELBURN, HA 229. ☑ USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: ELBURN, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles:
U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): AirPhotoUSA, November 2002 Advanced Identification Wetland Maps: Site Visit Conducted on: August 19, 2004 by Jaimee W. Hammit of the USACE, Chicago District Other information: The Wetland Assessment Report, dated July 20, 2004, prepared by CBBEWL Rationale for Basis (applies to any boxes checked above): The on-site irrigation pond identified by CBBEWL is not under the jurisdiction of the U.S. Army Corps of Engineers. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is <u>not</u> likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by: Approved by: Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 200400977 REGULATORY PROJECT MANAGER: Jaimee Hammit Date: 09/15/04 PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: 08/18/04 (Y/N) Date: 08/19/04 At the project site PROJECT LOCATION INFORMATION: State: Illinois County: Kane Center coordinates of site by latitude & longitudinal coordinates: Lat: 41-54-12, Lon: 88-25-17 Approximate size of site/property (including uplands & in acres): 80 acres Name of waterway or watershed: Fox River watershed SITE CONDITIONS:

U-I AC	1-3 ac	3-5 ac	66. W. 31.35.11.30 91.21.21.21.11.11	10-25 ас	25-50 ac	• • • • • • • • • • • • • • • • • • •	Linear	Unknown
							feet	
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Migratory Bird Rule Factors:	If Known		If Unknown Use Best Professional Judgment				
	Xe	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					⊠		
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?				Ø			
Is used to irrigate crops sold in interstate commerce?							
¹ Check appropriate boxes that best describe potential for application-navigable, intra-state aquatic resource area.	cability of th	ne Migrator	y Bird Rule to	apply to onsite, non-	-jurisdictional, isolated,		

Preliminary Or Approved

TYPE OF DETERMINATION:

DISTRICT OFFICE: Chicago

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Zenex Development Center PROJECT LOCATION/WATERWAY: 11 acre Parcel Located East of Harlem Avenue and South of 179th Street in Tinley Park, Cook County, Illinois (Section 31, T36N, R13E). PROJECT REVIEW COMPLETED: ☐ Office ☐ Field **FILE NUMBER: 200400878** Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. ☐ There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site. ☑ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: TINLEY PARK. ■ U. S. Geological Survey Hydrologic Atlas: ☑ USDA Natural Resources Conservation Service Soil Survey for Cook County. U. S. Geological Survey 7.5 Minute Topographic Maps: TINLEY PARK, 1993. ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: 7 September 2004 Other information: Rationale for Basis (applies to any boxes checked above): Wetland B drains into Union Ditch, which flows into Hickory Creek, a tributary of the Des Plaines river. Wetlands C and D are adjacent to Wetland B. Wetlands B, C and D are all under jurisdiction of this office. Wetland A does not appear to exhibit a hydrologic surface connection to navigable waters and is not under jurisdiction of this office. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris changes in the character of soil shelving other: **Basis for Declining Jurisdiction:** ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale] Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated 1 July 2004, prepared by JFNew. This office does not confirm your wetland boundary. Recommended by: Approved by: Date: ¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER:	1										
REGULATORY PROJECT M	IANAGE	R: St	eve Gag	mon	1	Date: 15 Sept	ember 2004				
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE		n the offic project s						
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of: Name of waterway of SITE CONDITIONS:	f site by l site/prope	atitude & erty (inclu		idinal coor	dinates:	Illiz Coo 41 - 11	ols	7-28.9502			
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	5 ac 25-50	ac > 50 ac	Linear feet	Unknown		
Lake	 	\vdash		 	╌┼┲╌		 	reet			
River	╁╫	╁┼	├╶╞═┩╼┄	 	一片	- - - - - - - - - 	 		 		
Stream	 	╽┌┤	- 	╅	- ∺	- - - - 	···· 		H		
Dry Wash	╁┼	 	 	┪	$\dashv \exists$		╅		 		
Mudflat	1 🗂	 	 	 	ᅥ片				 		
Sandflat	†∺ <u> </u>	 	H	⊣ ⊢	- 		- 				
Wetlands	X	 	 	17	╅						
Slough	lä 	 		╅					H		
Prairie pothole	Ħ	Ħ	H	╅	<u> </u>		 		 		
Wet meadow	ऻऻ	 	<u> </u>	ᅥᆏ	□ □		<u> </u>		 		
Playa lake	† 	th	Ħ	╅	- 	- - - - - - - - - - -			一一		
Vernal pool	┼∺		H	- 	ᅥ岩		- - 		 		
Natural pond	 	t∺	Ħ		 				l Ti		
Other water (identify type)											
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type of isol	ated, no	n-navigable	e, intra-stat	e water prese	nt and best estimate	e for size of	non-		
Migratory Bird Rule Factors ¹ :				If Known		If Unknow	n rofessional Judgme				
				Yes	No	Predicted	Not Expected t		ble To Make		
					***	to Occur	Occur		ermination		
Is or would be used as habitat for Migratory Bird Treaties?	birds prote	ected by		×							
is or would be used as habitat by o	other migr	atory birds	that	Ø							
Is or would be used as habitat for	endangere	d species?						⊠			
Is used to irrigate crops sold in int	erstate cor	nmerce?						×			
¹ Check appropriate boxes that hes non-navigable, intra-state aquatic		-	or applic	cability of th	ie Migrato	ry Bird Rule t	o apply to onsite, n	on-jurisdict	ional, isolated,		
TYPE OF DETERMINATION	N:				I	Preliminary	Or Approve	ed 🛚			
OPITIONAL ADDITIONAL	INFORM	ATION S	UPPOI	RTING NJ	D (e.g., p	aragraph 1 -	site conditions: 1	paragraph	s 2-3 –		
rationale used to determine N.											
connections; and paragraph 4											

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Lauran McNelly PROJECT LOCATION/WATERWAY: 2.4 Acre Property at 25775 North Gilmer in Mundelein, Lake County, Illinois (Section 3, T43N, R10E).
FILE NUMBER: 200401006 PROJECT REVIEW COMPLETED: ☐ Office ☑ Fleid
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 ☑ There are no jurisdictional waters of the United States present on the project site. ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairic potholes, wet meadows, playa lakes, or natural ponds). ☐ Other: ☐ Section 10 waterway.
Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: LAKE ZURICH, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Lake County 2000 Advanced Identification Wetland Maps: LAKE COUNTY. Site Visit Conducted on: 3 September 2004 Other information:
Rationale for Basis (applies to any boxes checked above): The wetland on the property does not appear to exhibit a hydrologic surface connection to navigable waters.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary Description of terrestrial vegetation shelving other
Basis for Declining Jurisdiction:
 ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☑ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary This office does not confirm your wetland boundary
Approved by: ORIGINAL SIGNED Date: 15 Supt 04
Approved by:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicage FILE NUMBER: 200401006)								
REGULATORY PROJECT N	MANAGE	R: Si	teve Ga	gnon	D	ate: 15 Septe	mber 2004		
PROJECT REVIEW/DETER	MINATI	ON COM	PLETI		n the office		i) Date: Date: 3 Sept	ember 2004	
PROJECT LOCATION INFO State: County: Center coordinates of Approximate size of Name of waterway of SITE CONDITIONS:	of site by I site/prope	atitude & erty (incli		ıdinal çooi	dinates:	Illino Lake 42 -1- 2.4	•		
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 a	c > 50 ac	Linear feet	Unknown
Lake									
River									
Stream				<u> </u>			一一		
Dry Wash	15					 	 		
Mudflat		<u> </u>							
Sandflat	 	ऻ ा	╅	 	一十一		一一		
Wetlands	<u> </u>	<u> </u>	Ħ	┪ਜ਼			15		
Slough	† ≒	l Fi	Ħ	<u> </u>		- I Fi	Ħ		
Prairie pothole	† =	 	ऻऻ	╅	ᅥᇊ	<u> </u>	- 		
Wet meadow	† <u></u>	╽┝ॉ	╁Ħ	一片		 	 	<u> </u>	
Playa lake	† 	十一	 	ᅥᅟᅲ	一一		 		
Vernal pool	╁ᠮ	Ħ	╁┲╅┈		- - 		H		†
Natural pond	ऻ ∺	Ħ	冒	ᅥᅟᆖ	 	- - - - - - - - - 	ᅥ片	 	├ ├ ┤
Other water (identify type)									
¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.							`no n -		
Migratory Bird Rule Factors ¹ :				If Known		If Unknown Use Best Pro	efessional Judgm	nent	
				Yes	No .	Predicted to Occur	Not Expected Occur	to Not	Able To Make termination
Is or would be used as habitat for Migratory Bird Treaties?				⊠					
Is or would be used as habitat by cross state lines?	other migra	atory birds	that	Ø					
Is or would be used as habitat for									
Is used to irrigate crops sold in in	terstate cor	nmerce?							
Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated,									

TYPE OF DETERMINATION:

non-navigable, intra-state aquatic resource area.

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite):

Preliminary ☐ Or Approved ☒

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Forever Construction PROJECT LOCATION/WATERWAY: Property on Frolic Avenue in Waukegan, Lake County, Illinois (Section 7, T45N, R12E).
FILE NUMBER: 200401009 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: U. S. Geological Survey Hydrologic Atlas: USDA Natural Resources Conservation Service Soil Survey for Lake County. U. S. Geological Survey 7.5 Minute Topographic Maps: ZION, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Acrials (Name & Date): Lake County 2002 Advanced Identification Wetland Maps: Site Visit Conducted on: 3 September 2004 Other information:
Rationale for Basis (applies to any boxes checked above): Wetland drains to the northeast into a culvert that goes under Frolic Avenue, then the waters enters the storm sewer system and becomes untraceable.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil wetland boundary Description:
Basis for Declining Jurisdiction:
 ☑ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☑ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated ☐ This office does not confirm your wetland boundary ☐ This office does not confirm your wetland boundary
Recommended by: ORIGINAL SIGNED Date: 15 Sept 04
Approved by:
Charles and desired to the charles of the charles o

occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

FILE NUMBER: 200401009					
REGULATORY PROJECT MANAGER:	Steve Gagnon	Date	: 15	Septemb	per 2004
PROJECT REVIEW/DETERMINATION C		In the office At the project site	Y	(Y/N) (Y/N)	Date: Date: 3 September 200
PROJECT LOCATION INFORMATION:					
State:				Illinois	
County:				Lake	
Center coordinates of site by latitud	le & longitudinal	coordinates:		42 -23-3	36.3034; 87 -52-20.5696
Approximate size of site/property (i	including upland	s & in acres):		0.1	
Name of waterway or watershed:		-		Lake M	ichigan
SITE CONDITIONS:					-

Type of aquatic resource1	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream			1 🗖				†⊟ —	1	1=
Dry Wash							<u> </u>	1	18
Mudflat							† -		
Sandflat									
Wetlands					$\uparrow \Box$				↑
Slough					1 🗆	117	† T		┪
Prairie pothole					$\top \Box$	15 -			
Wet meadow				│ 	15	† ⊟	16	1	一
Playa lake	\neg	18	ī	<u> </u>	† ====================================	† 	<u>†</u>		
Vernal pool		! 🗂	l 	「「	 	! Ti	│ 		
Natural pond			<u> </u>		15	! 🗖	† =		17
Other water (identify type)	$\neg \vdash \Box$			 		† 	 	1	
	-	_		-	1-	-	_		1
	-				ļ				
¹Check appropriate boxes that	best describe	type of iso	lated, non-	navigable, ir	ntra-state wat	er present an	d best estim	ate for size of	f non-

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment			
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?						
Is or would be used as habitat by other migratory birds that cross state lines?						
Is or would be used as habitat for endangered species?					\boxtimes	
Is used to irrigate crops sold in interstate commerce?						
¹ Check appropriate boxes that best describe potential for appli non-navigable, intra-state aquatic resource area.	cability of	the Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated,	

Preliminary ☐ Or Approved ☒

TYPE OF DETERMINATION:

. APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Main Place-Orland Park Associates, LLC PROJECT LOCATION/WATERWAY: Northeast corner of LaGrange Road and 143rd Street in the Village Cook County, Illinois

Cook County, Illinois
FILE NUMBER: 200400896 PROJECT REVIEW COMPLETED: ☐ Office ☑ Fleid
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed
 U. S. Fish and Wildlife Service National Wetland Inventory: PALOS PARK. U. S. Geological Survey Hydrologic Atlas: PALOS PARK, 145. USDA Natural Resources Conservation Service Soil Survey for Cook County. U. S. Geological Survey 7.5 Minute Topographic Maps: PALOS PARK, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Date): Advanced Identification Wetland Maps: Site Visit Conducted on: July 1, 2004 Other information:
Rationale for Basis (applies to any boxes checked above): The wetland in the southeastern portion of the property (wetland 1B) is isolated because it does not have a hydrological connection to a navigable waterway, however the northwestern wetland (4B) is hydraulically connected to Mill Creek.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soil other: wetland boundary
Basis for Declining Jurisdiction:
Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated March 31, 1998 (revised June 12, 2000), prepared by SDI Consultants, LTD. ☐ This office does not confirm your wetland boundary.
ORIGINAL SIGNED Date: 9-/0-04 Date:
Approved by:URIGINAL SIGNLD Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400896									
REGULATORY PROJECT MANAGER: Diedra Willis Date: September 10, 2004									
PROJECT REVIEW/DETER	MINATI	ON COM	PLETE		n the office project sit	. , ,		gust 23, 2004 71, 2004	
PROJECT LOCATION INFO	RMATIC	ON:				, ,	•	,	
State:						Ii linoi:	s		
County:						Cook	_		
Center coordinates o	f site by l	atitude &	longitu	idinal coor	dinates:	41-37-	56,6063 & 87	-50-58,5767	
Approximate size of						66 acre	es		
Name of waterway or					,	Mill C			
SITE CONDITIONS:									
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ic 25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream								1	
Dry Wash									
Mudflat									
Sandflat									
Wetlands		Ø						1	1 🗖
Slough				T 📅				Ì	
Prairie pothole							→		T
Wet meadow	Ħ	ऻ	l Ti				- 	1	
Playa lake	╽ቨ	ऻ	<u> </u>	177	一一	一一	↑		Ħ
Vernal pool				╅		- Fi	╅		 [
Natural pond	† 	ī	Ħ	┪┪		- - 			Ħ
Other water (identify type)	Ħ	 		- - -	┪	- - - - - 	 		
	_	_					-		-
Check appropriate boxes that bes	t describe	type of iso	lated, no	n-navigable	Lintra-state	water present :	and best estima	te for size of	non-
jurisdictional aquatic resource are		., p. 01 150	, 220		,				
Migratory Bird Rule Factors1:				If Known	:	If Unknown			::::::::::::::::::::::::::::::::::::::
			: :				essional Judyn		. :.:
	٠.	''		Yes "	No	Predicted	Not Expected		ble To Make
Is or would be used as habitat for	hirde aret	atad by	····			to Occur	Occur	Det	ermination
Migratory Bird Treaties?	on as bran	cuu oy		🗀			ш	💆	
Is or would be used as habitat by o	ther migra	tory birds	that						
cross state lines?		·							
Is or would be used as habitat for									
Is used to irrigate crops sold in int									
*Check appropriate boxes that bes			or applic	cability of th	ie Migratory	Bird Rule to a	pply to onsite,	non-jurisdicti	ional, isolated,
non-navigable, intra-state aquatic	resource a	res.							
TYPE OF DETERMINATION	N:				Pr	eliminary 🗌	Or Appro	ved 🛚	
OPITIONAL ADDITIONAL I									

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

U.S. Army Corps of Engineers, Chicago District

APPLICANT: TCB Development PROJECT LOCATION/WATERWAY: Parcel located south of Swenson Avenue, east of Kirk Road and west of the Kane-DuPage Cunty Line (Kautz Road) in Saint Charles, Kane County, Illinois (E 1/2 of Section 36, T40N R8E) FILE NUMBER: 200400979 PROJECT REVIEW COMPLETED:
☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: ☐ There are no waters on the project site. There are non-jurisdictional waters on the project site. ☐ There are waters of the United States on the project site. ☐ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: GENEVA. U. S. Geological Survey Hydrologic Atlas: GENEVA, HA 142. USDA Natural Resources Conservation Service Soil Survey for Kane County. U. S. Geological Survey 7.5 Minute Topographic Maps: U. S. Geological Survey 7.5 Minute Historic Quadrangles: GENEVA, 1949. U. S. Geological Survey 15 Minute Historic Quadrangles: Aerial Photographs (Name & Date): Terraserver April 10, 2002 Advanced Identification Wetland Maps: Site Visit Conducted on: Other information: The Routine Wetland Delineation Report, dated July 28, 2004, prepared by ENCAP, Inc. Rationale for Basis (applies to any boxes checked above): Wetland 1 and Wetland 2 do not have a surface water tributary system connection and are isolated. Therefore, neither Wetland 1 nor Wetland 2 are under the jurisdiction of the U.S. Army Corps of Engineers. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation the presence of litter and debris shelving changes in the character of soils other: wetland boundary Basis for Declining Jurisdiction: Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria. Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationalc] Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated , prepared by This office does not confirm your wetland boundary. Recommended by: Approved by: Date:

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400979				
REGULATORY PROJECT MANAGER:	Jaimee Hammit	Date:	September 9	9, 2004
PROJECT REVIEW/DETERMINATION		In the office t the project site	(Y/N) (Y/N)	Date: September 9, 200- Date:
PROJECT LOCATION INFORMATION:			, ,	
State:			Illinois	
County:			Kane	
Center coordinates of site by latit	ude & longitudinal e	coordinates:	Lat: 41-	54-31, Lon: 88-15-50
Approximate size of site/property			5 acres	
Name of waterway or watershed:		•	DuPage	River
SITE CONDITIONS:				

Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Unknown feet
Lake								
River								
Stream								
Dry Wash								
Mudflat								
Sandflat								
Wetlands	X							
Slough								
Prairie pothole								
Wet meadow								
Playa lake								
Vernal pool								
Natural pond								
Other water (identify type)								
¹ Check appropriate boxes that bes jurisdictional aquatic resource are		type of iso	lated, non-	navigable, in	ra-state wate	er present an	d best estima	ate for size of non-

Migratory Bird Rule Factors ¹ :	If Know	If Known Use Best Professional Judgment					
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination		
Is or would be used as habitat for birds protected by Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that cross state lines?							
Is or would be used as habitat for endangered species?					Ø		
Is used to irrigate crops sold in interstate commerce?							
¹ Check appropriate boxes that best describe potential for appli	esbility of	the Migrat	ory Bird Rule to	apply to onsite, non	-jurisdictional, isolated,		

TYPE OF DETERMINATION:

Preliminary 🗌 Or Approved 🗵

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Des Plaines Valley Boy Scout Council PROJECT LOCATION/WATERWAY: Camp Tomo Chi Chi Knolls located south of Freeman Road and west of the railroad tracks in unincorporated Gilberts, Kane County, Illinois (E 1/2 of Section 15, T42N R7E)

FILE NUMBER: 200400985 PROJECT REVIEW COMPLETED: ☑ Office ☑ Field

FILE NUMBER: 200400985 PROJECT REVIEW COMPLETED: 🛭 Office 🖾 Field
Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)
Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the cbb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: Section 10 waterway.
Information Reviewed
 ☑ U. S. Fish and Wildlife Service National Wetland Inventory: PINEGREE GROVE. ☑ U. S. Geological Survey Hydrologic Atlas: PINGREE GROVE, HA 232. ☑ USDA Natural Resources Conservation Service Soil Survey for Kane County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: PINGREE GROVE, 1992. ☑ U. S. Geological Survey 7.5 Minute Historic Quadrangles:
Rationale for Basis (applies to any boxes checked above): Please note: This jurisdictional determination refers only to the one wetland referred to in the jurisdictional determination request (dated July 16, 2004) and shown on the exhibit that was attached (referred to as "Future Lake" on the exhibit). The wetland identified as "Future Lake" has no surface water tributary system connection and is isolated. Therefore, this wetland is not under the jurisdiction of the U.S. Army Corps of Engineers.
Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation shelving other: wetland boundary other:
Basis for Declining Jurisdiction:
 Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries This office concurs with your wetland delineation report dated This office does not confirm your wetland boundary.
This office does not confirm your wetland boundary. Recommended by: Approved by: Date:
Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e.,

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicag FILE NUMBER: 200400983	,					
REGULATORY PROJECT	MANAGE	R: Jaimee Han	nmit Date	: September	9, 2004	
PROJECT REVIEW/DETER PROJECT LOCATION INFORM State: County: Center coordinates Approximate size o Name of waterway	ORMATION of site by I	ON: atitude & longitud erty (including upl	At the project site	180	_	
SITE CONDITIONS:						
Type of aquatic resource ¹	0-1 ac	1-3 ac 3-5 ac	5-10 ac 10-25 ac	25-50 ac	> 50 ac.	Linear Unknown feet
Lake						П
River				- - -	↑≒	
Stream		1百 1百		16		
Dry Wash	╅	 	 	16	†	
Mudflat	18		 	 	17	
Sandflat	<u> </u>		 	18	177	
Wetlands	16		15 15	16		
Slough				15	10	
Prairie pothole						

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

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Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Pro	fessional Judgment	e de la companya de l	
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination	
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			Ø			
Is or would be used as habitat by other migratory birds that cross state lines?			×	П		
Is or would be used as habitat for endangered species?						
Is used to irrigate crops sold in interstate commerce?					×	
¹ Check appropriate boxes that best describe potential for appl non-navigable, intra-state aquatic resource area.	icability of t	he Migrator	y Bird Rule to	apply to onsite, non-	jurisdictional, isolated,	

TYPE OF DETERMINATION:

Wet meadow Playa lake

Vernal pool

Natural pond

Other water (identify type)

Preliminary ☐ Or Approved ⊠

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APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District

APPLICANT: Naval Station Environmental Department PROJECT LOCATION/WATERWAY: Glenview Naval Air Station, Cook County, Illinois (Sections 21 & 28, T42N, R12E).
FILE NUMBER: 200400971 PROJECT REVIEW COMPLETED: ☐ Office ☑ Field
Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are mon-jurisdictional waters on the project site. There are waters of the United States on the project site. There are both waters of the United States and non-jurisdictional waters on the project site.
Basis of Jurisdictional Determination:
 □ There are no jurisdictional waters of the United States present on the project site. □ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the cbb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) □ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) □ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) □ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) □ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). □ Other: □ Section 10 waterway.
Information Reviewed ☑ U. S. Fish and Wildlife Service National Wetland Inventory: PARK RIDGE.
U. S. Geological Survey Hydrologic Atlas: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic Maps: PARK RIDGE, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: HIGHWOOD, 1900. Aerials (Name & Date):AirPhoto 1999 Advanced Identification Wetland Maps: Site Visit Conducted on: 3 September 2004 Other information:
Rationale for Basis (applies to any boxes checked above): Wetland G1 is located along the railroad drainage ditch and is under jurisdiction of this office. Wetland G2 is a detention pond that drains into the storm sewer system. Wetland G3 does not appear to exhibit a hydrologic surface connection to navigable waters. Wetlands G2 and G3 are not under jurisdiction of this office. Lateral Extent of Jurisdiction (33 CFR 328 and 329): Ordinary High Water Mark indicated by: clear, natural line impressed on the bank destruction of terrestrial vegetation shelving changes in the character of soil shelving other: wetland boundary
Basis for Declining Jurisdiction:
☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7) ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria ☐ Area under consideration is <u>not</u> likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]
Confirmation of Wetland Boundaries ☐ This office concurs with your wetland delineation report dated 26 July 2004, prepared by Graef, Anhalt, Schloemer & Associates, Inc. ☐ This office does not confirm your wetland boundary.
Recommended by: ORIGINAL SIGNED Date: 9/9/2004
Approved by:
¹ Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).
Wetlands cancerted from other waters of the U.S. by man-made dikes or harriers, natural river borns, brach dunes, and the like are also

adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chica FILE NUMBER: 20040097													
REGULATORY PROJECT MANAGER: Steve Gagnon Date: 8 September 2004													
PROJECT REVIEW/DETERMINATION COMPLETED: In the office (Y/N) Date: At the project site Y (Y/N) Date: 3 September 2004													
PROJECT LOCATION INFORMATION: State: County: Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: SITE CONDITIONS: At the project site 1 (1/14) Date: 3 September 2004 Cook Cook 42 -5-40.5044; 87 -50-11.9475 85 Chicago River													
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear	Unknown				
Lake	<u> </u>	 	+	\vdash	 		 	1661					
River		 	 	 			ऻ ☐	1	 				
Stream					15								
Dry Wash													
Mudflat													
Sandflat													
Wetlands								1					
Slough													
Prairie pothole													
Wet meadow													
Playa lake													
Vernal pool													
Natural pond								1					
Other water (identify type)													
	-												

Migratory Bird Rule Factors ¹ :	If Knov	va.	If Unknown Use Best Professional Judgment						
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination				
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	×								
Is or would be used as habitat by other migratory birds that cross state lines?									
Is or would be used as habitat for endangered species?					×				
Is used to irrigate crops sold in interstate commerce?					⊠				
¹ Check appropriate boxes that best describe potential for appli non-navigable, lutra-state aquatic resource area.	icability of	the Migrat	ory Bird Rule to	apply to onsite, non-	jurisdictional, isolated,				

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-

TYPE OF DETERMINATION:

jurisdictional aquatic resource area.

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

Preliminary ☐ Or Approved ☒

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT U.S. Army Corps of Engineers, Chicago District APPLICANT: Catholic Bishop of Chicago PROJECT LOCATION/WATERWAY: South side of Route 6 and West of LaGrange Road in Orland Park, Cook County, Illinois/ Marley Creek FILE NUMBER: 200400921 PROJECT REVIEW COMPLETED: ☐ Office ☐ Field Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2) Based on available information: There are no waters on the project site. There are non-jurisdictional waters on the project site. There are waters of the United States on the project site. ☐ There are both waters of the United States and non-jurisdictional waters on the project site. Basis of Jurisdictional Determination: There are no jurisdictional waters of the United States present on the project site. The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1)) The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2)) The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5)) The presence of wetlands adjacent2 (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7)) The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds). Other: ☐ Section 10 waterway. Information Reviewed U. S. Fish and Wildlife Service National Wetland Inventory: TINLEY PARK. U. S. Geological Survey Hydrologic Atlas: TINLEY PARK, 152. ☑ USDA Natural Resources Conservation Service Soil Survey for Cook County. ☑ U. S. Geological Survey 7.5 Minute Topographic Maps: TINLEY PARK, 1993. U. S. Geological Survey 7.5 Minute Historic Quadrangles: U. S. Geological Survey 15 Minute Historic Quadrangles: Aerials (Name & Datc): 2002 Advanced Identification Wetland Maps: \boxtimes Site Visit Conducted on: Spring 2003 Other information: Rationale for Basis (applies to any boxes checked above): Wetlands A & C are isolated because there is no hydrological connection to a navagiable waterway, however wetland B is adjacent to a Marley Creek which is a waters of the U.S. and flows to the Des Plaines River.

ateral Extent of Jurisdiction (33 CFR 328 and	1 329):
Ordinary High Water Mark indicated b	y:
clear, natural line impressed on the bank	destruction of terrestrial vegetation
the presence of litter and debris	shelving
changes in the character of soil	other:
wetland boundary	
_ ,	

Basis for Declining Jurisdiction:

				he presen																				
	Area	und	er cor	isideratio	m is l	ikel	y to	have	bee	n jui	risd	ictio	nal u	ınder	pre	-SW	AN	CC i	Migra	itory	Bird	Rule	criteri	a
	Area	und	er cor	sideratio	n is <u>r</u>	not l	ikel	y hav	e be	en ji	uris	dictio	onal	unde	ег рг	c-S	WAI	NCC	Mig	rato	ry Biro	l Rule	crite	ria
										•					-				-		-			
				_												_		_						

Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

☐ This o	f Wetland Boundaries ffice concurs with your wetland delineation report dated ffice does not confirm your wetland boundary.	, prepared by	
	by:	Date:	9-8-04
Approved by:	ORIGINAL SIGNED	Date:	

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berrns, beach dunes, and the like are also adjacent.

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Chicago FILE NUMBER: 200400921	•												
REGULATORY PROJECT N	MANAGE	R: D	iedra Wi	llis	Da	ate: Septemb	er 8, 2004						
PROJECT REVIEW/DETER	MINATI	ON COM	IPLETE		In the office project sit	_		tember 2, 20 ing 2003	04				
PROJECT LOCATION INFORMATION: State: County: Cook Center coordinates of site by latitude & longitudinal coordinates: Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: Marley Creek SITE CONDITIONS:													
Type of aquatic resource	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25	ac 25-50 a	e >50 ac	Linear	Unknown				
Lake		1 🗂	 		<u> </u>			feet	TT				
River	 	╁╁	╁∺┈	十十一	 	- 	 	+	 				
Stream	 	╁Ѭ┈	 	╅	- - 		- 	+	ᆉᄦ				
Dry Wash	 	 	┧╁	╅┈	ᆖ	- - 	┉┼┾┤╌	1	 				
Mudflat	╁╁			 	- 	- 	- - - - - - - - - - 	+	 				
Sandflat	 - -	│┡	╁╄	╅	- 片		<u> </u>	 					
Wetlands	╁∺	╁Ħ		┧∺	<u> </u>		- -	 	 				
Slough	╅	╅	 	┅┼┾═┥──┈	- 	\dashv	- - - - - 		 				
Prairie pothole	 	1 📇	┼∺-	 - 	- - -	- - - - - - - - - 			 = 				
Wet meadow	 	 - -	╁┾┤┈	- 	╼┼┾╡	- - 	- - - 	-	 				
Playa lake	┼┼┼		╁┼	- 남			- 	+	 - 				
Vernal pool	╁┾╅	++	┼┼┤	╅	╼╫╞╡		- - -		│ 				
Natural pond	 		╎╎ ┈	-┼┼			- - 	+	∮╞╡╸				
Other water (identify type)				╁					H				
¹ Check appropriate boxes that be jurisdictional aquatic resource ar	st describe ea.	type of iso	lated, no	n-navigable	e, intra-state	water presen	t and best estim	ate for size of	non-				
Migratory Bird Role Factors':				If Known		If Unknown Use Best Professional Judgment							
				Yes	No	Predicted	Not Expected		ble To Make				
Is or would be used as habitat for Migratory Bird Treaties?	birds prot	ected by	n.a			to Occur	Occur	□ De	termination				
Is or would be used as habitat by	other migr	atory bird	s that					×					
eross state lines?				_			ļ <u></u>						
Is or would be used as habitat for				ㅁ _	 		├ ├──						
Is used to irrigate crops sold in in ¹ Check appropriate boxes that be			for appli-	ability of the	ho Mieroże:	Died Dula 4-	nambu to analis	non invisdiat	lonal instance				
non-navigable, intra-state aquatic	SCHIDEDD 18 PARTHORAL	potential i	or applic	admity of t	ne wiigratory	Bira Kule to	apply to onsite,	non-jurisaici	ionai, isolated,				
TYPE OF DETERMINATION					Pr	eliminary [Or Appro	ved 🛛					
OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 –													

rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce

connections; and paragraph 4 - site information on waters of the U.S. occurring onsite):